

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

RICHARD ROE, ET AL.,

PLAINTIFFS,

v.

PATRICK M. SHANAHAN, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-01565

NICHOLAS HARRISON, ET AL.,

PLAINTIFFS,

V.

PATRICK M. SHANAHAN, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-CV-00641

**PLAINTIFFS' EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Description</b>	<b>Date</b>	<b>Bates Range/ Document Number</b>	<b>Authentic</b>	<b>Admissible</b>	<b>Admitted</b>
PX001	Department of Defense Instruction 6485.01 (1991 version): Human Immunodeficiency Virus (HIV) in Military Service Members	3/19/91				

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PX002	Department of Defense Instruction 6485.01 (2006 version): Human Immunodeficiency Virus (HIV) in Military Service Members	10/17/06	US00021177–00021182			
PX003	Department of Defense Instruction 6485.01 (current version): Human Immunodeficiency Virus (HIV) in Military Service Members	6/7/13	NH-000157–000164			
PX004	Comment Matrix for DoDI 6485.01	8/00/12	US00013978_001–US00013978_007			
PX005	Department of Defense Instruction 6490.07: Deployment-Limiting Medical Conditions for Service Members and DoD Civilian Employees	2/5/10	US00003652–00003665			
PX006	Action Memo for the Deputy Under Secretary of Defense: DoD instruction 6490.gg, “Deployment-Limiting Medical Conditions for Service Members and DoD Civilian Employees”	1/20/10	US00013979–00014029			
PX007	Department of Defense Instruction 6130.03: Medical Standards for Appointment, Enlistment, or Induction into the Military Services	5/6/18	NH-000604–000652			
PX008	Action Memo for the Under Secretary of Defense for Personnel and Readiness: Proposed Department of Defense Instruction 6130.3, “Medical Standards for Appointment, Enlistment, or Induction into the Military Services”	3/28/18	US00013857–00013977			

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PX009	Department of Defense Instruction 1332.18: Disability Evaluation System (DES)	5/17/18	US00007238–00007292			
PX010	Department of Defense Instruction 1332.45: Retention Determinations for Non-Deployable Service Members	7/30/18	NH-000102–000121			
PX011	Department of Defense Instruction 6025.19: Individual Medical Readiness	6/4/19	NH-000524–000538			
PX012	Air Force Guidance Memorandum Establishing Guidance for Implementing Department of Defense Instruction (DoDI) 1332.45, <i>Retention Determinations for Non-Deployable Service Members</i>	2/19/19	OutServe_RV-000275–000281			
PX013	Air Force Instruction 44-178: Human Immunodeficiency Virus(HIV) in Military Service Members	6/28/16	OutServe_RV-000716–000759			
PX014	Air Force Instruction 48-122: Deployment Health (2015 version)	5/14/15	US00030079–00030101			
PX015	Air Force Instruction 48-122: Deployment Health (current version)	6/12/17	US00030102–00030132			
PX016	Air Force Instruction 48-123: Medical Examinations and Standards	11/5/13				
PX017	Air Force Instruction 36-3212: Physical Evaluation for Retention, Retirement, and Separation	11/27/09	OutServe_RV-000618–000715			
PX018	Air Force Instruction 36-3802: Force Support Readiness Program	1/9/19				
PX019	Air Force Memorandum on the Retention of Airmen with Asymptomatic HIV	10/11/17	US00031061			

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PX020	Memorandum for Air Force Personnel Center, Air Force Medical Standards Branch, and Air Force Medical Operations: Appropriate Evaluation of Fitness for Continued Service for Airmen with Asymptomatic Human Immunodeficiency Virus (HIV)	6/6/18	OutServe-000150–000152			
PX021	Memorandum for Air Force Review Boards Agency, Air Force Personnel Center, Air Force Medical Standards Branch, and Air Force Medical Operations Agency: Airmen with Asymptomatic Human Immunodeficiency Virus (HIV) Disposition	9/26/18	US00031049–00031050			
PX022	Army Regulation 600-110: Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus (1988 version)	4/11/88				
PX023	Army Regulation 600-110: Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus (current version)	4/22/14	NH-000023–000085			
PX024	Army Regulation 40-501: Standards of Medical Fitness	6/14/17	NH-000349–000499			
PX025	SECNAV Instruction 5300.30F: Management of Human Immunodeficiency Virus, Hepatitis B Virus, and Hepatitis C Virus Infection in the Navy and Marine Corps	12/27/18	US00031478–00031513			

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PX026	SECNAV Instruction 5300.30E: Management of Human Immunodeficiency Virus, Hepatitis B Virus, and Hepatitis C Virus Infection in the Navy and Marine Corps	8/13/12	NH-000165–000187			
PX027	SECNAV Instruction 1850.4E: Department of the Navy (DON) Disability Evaluation Manual	4/30/02	US00004968–00005268			
PX028	MILPERSMAN 1300-1300: Assignment of Personnel with Bloodborne Pathogens (BPP)	8/6/13	US00005512–00005524			
PX029	Department of the Navy Memorandum for Assistant Secretary of Defense for Health Affairs: Request for Information (RFI) Regarding Personnel with Human Immunodeficiency Virus (HIV) and Approved Deployment Waivers	7/23/18	US00020075–00029984			
PX030	Marine Corps Order 1300.8: Marine Corps Personnel Assignment Policy	9/18/14	US00015950–00016028			
PX031	OPNAV Instruction 1300.20: Deployability Assessment and Assignment Program	9/25/18	US00019649–00019666			
PX032	COMNAVCRUITCOMINST 1130.8K, Chapter 2, Section 7 “Physical Requirement”	5/10/17	US00014452–00014473			
PX033	COMNAVCRUITCOMINST 1130.8K, Chapter 3 “Waivers”	5/10/17	US00014507–00014521			
PX034	Memorandum for SEE Distribution: Army Direction 2018-22 (Retention Policy for Non-Deployable Soldiers)	11/8/18	US00006912–00006919			

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PX035	Memorandum for SEE Distribution: Characterization of Human Immunodeficiency Virus (HIV) Positive Soldier Deployable Status for the Purpose of Calculating Non-Deployable Time	11/9/18	US00005451–00005452			
PX036	Information Paper for the Navy, Army, and Air Force: Accession Qualification Standards for Human Immunodeficiency Virus (HIV) Infection	9/00/15	US00010760_00001–00002			
PX037	Information Paper: Request for Exemption to Policy for Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus, to provide updated information on Sgt. Harrison, Nicholas request for exception to policy (ETP)	7/11/16	US00001997–00002011			
PX038	Department of Defense Personnel Policies Regarding Members of the Armed Forces Infected with Human Immunodeficiency Virus: Report to the Committees on the Armed Services of the Senate and House of Representatives, dated August 2018 (“2018 Report to Congress”)	8/27/18	OutServe_RV-000071–000104			
PX039	List of Documents considered by Dr. Donald Shell in the Report to Congress on HIV Personnel Policies		US00004965–00004967			

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PX040	Report to Congressional Defense Committees on Department of Defense Personnel Policies Regarding Members of the Armed Forces with HIV or Hepatitis B (“2014 Report to Congress”)	9/22/14	US00000659– 00000674			
PX041	USCENTCOM 231245Z March 207 Modification Thirteen to USCENTCOM Individual Protection and Individual-Unit Deployment Policy (“Mohd 13”)	3/00/17	US00009910– 00009931			
PX042	PPG-TAB A: Amplification of the Minimal Standards of fitness for Deployment to the CENTCOM AOR; To Accompany Mod Thirteen to USCENTCOM Individual Protection and Individual/Unit Deployment Policy (“Tab A to Mod 13”)		US00010225– 00010234			
PX043	USEUCOM Genadmin for Deployment Force Health Protection	11/00/15				
PX044	NORAD and USNORTHCOM Instruction 44-163, <i>Individual Medical Readiness</i>	4/19/12				
PX045	USINDOPACOM Force Health Protection	9/00/18				
PX046	SOUTHCOM Force Health Protection	12/7/17				

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PX047	Memorandum for Secretaries of the Military Departments; Chairman of the Joint Chiefs of Staff; Under Secretaries of Defense; Deputy Chief Management Officer; Chief, National Guard Bureau; Director of Cost Assessment and Program Evaluation: DoD Retention Policy for Non-Deployable Service Members	2/14/18	US00006607–00006608			
PX048	Memorandum for Assistant Secretary of the Army, Navy, Air Force: Policy Memorandum – Human Immunodeficiency Virus Interval Testing	3/29/04	NH-000310–000324			
PX049	HIV Country Restrictions, Summary of Findings		US00041277–00041278			
PX050	Armed Services Blood Program Medical Condition List, listing medical conditions that render a person ineligible to donate blood	2/00/19	US00040539–00040573			
PX051	OraQuick Advance® Rapid HIV-1/2 Antibody Test, Customer Letter		US00040756–00040773			
PX052	Deployment statistics showing numbers of active duty members who deployed at least once from FY 2015 to FY 2017		US00031094–00031114			
PX053	Active Duty Deployment TDY Rate for Fiscal Year 2018	9/00/18	US00031134–00031188			
PX054	Army Public Health Center: Malaria Field Guide, The Prevention, Diagnosis and Treatment of Malaria in the U.S. Africa Command (USAFRICOM)	5/00/16	NH-000188–000254			



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PX055	Assistant Secretary of Defense, Health Affairs, Memorandum regarding Guidance on Medications for Prophylaxis of Malaria	4/15/13	OutServe_RV-000894–000897			
PX056	Army Staffing Form: Request for Exemption to Army Regulation 600-110, Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus, with attached Harrison request for exception to policy	1/8/16	US00025518–00025540			
PX057	Joint Trauma System Clinical Practice Guideline for Whole Blood Transfusion	5/15/18	US00005296–00005334			
PX058	Armed Services Blood Program, “About Us”	6/29/18	NH-000539–000540			
PX059	Update to Secretary to the Army From TSG in response to question regarding the deployability of HIV+ Soldiers in light of the recent release of DoDI 1332.45 (Retention Determination for Non-Deployable Service Members)	8/10/18	US00025937			
PX060	Army Staffing Form: Army-wide Review for Major Revision of AR 600-110, Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus	9/17/18	US00025945–00025947			

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PX061	PDF pages of a tracking spreadsheet showing the requests that Lisa Lute received for exceptions to AR 600-110, their status, and their outcome, from 12/18/13 through 10/9/18	10/9/18	Lute Ex. 19A			
PX062	Asymptomatic HIV Case Summaries regarding decisions on 10 cases considered on October 18, 2018	10/18/18	US00031443– 00031444			
PX063	Presentation including table attached to Murray Report showing “HIV-infected AD SM Viral Suppression”	5/1/19				
PX064	Summaries of Three Recent HIV Cases, finding two of three “fit, return to duty” because “with the exception of not being worldwide deployable” they do “not meet any other DoDI 1332.18 criteria for being found unfit		US00031836– 00031837			
PX065	Criteria for Considering HIV Cases (including Richard Roe), finding two of three “fit, return to duty” because not being worldwide deployable is only limitation, and finding one not fit because he cannot fly, which is his primary duty		US00033270– 00033271			
PX066	U.S. Military Entrance Processing Command Document stating that under army regulations, HIV positivity by itself does not fail retention standards		US00003436_0001			
PX067	Chart of Deployment Limiting Conditions requiring waivers		US00006143_0001			

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PX068	Annual Decision Gate In Progress Review for the Transfusion Transmitted Disease Rapid Diagnostic Device (TTDRDD) Product Development Effort	8/12/15	US00040435–00040459			
PX069	Armed Service Blood Program Development of Rapid Field Tests for Transfusion Transmitted Diseases and ABO Rh Compatibility	8/2/07	US00040796–00040807			
PX070	Staff Summary Sheet from Col. Prater regarding Medical Fitness Determinations for Airmen with Asymptomatic HIV	6/22/18	US00031427_0001			
PX071	Staff Summary Sheet from Col. Prater regarding Medical Fitness Determinations for Airmen with Asymptomatic HIV	6/21/18	US00031788_0001			
PX072	OutServe-SLDN, Inc. Leaders and Locations List		OutServe-000019			
PX073	First Amended and Restated Bylaws of OutServe	6/9/18	OutServe-000012–000018			
PX074	OutServe Certificate of Incorporation		OutServe-000001–000005			
PX075	OutServe-SLDN Positive Forum		OutServe-000025			
PX076	OutServe-SLDN Transgender Forum		OutServe-000026			
PX077	OutServe Afghanistan/Iraq		OutServe-000027			
PX078	OutServe-Belgium		OutServe-000028			
PX079	OutServe-SLDN Christian Service Members Forum		OutServe-000029			

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PX080	Donate to OutServe-SLDN	11/2/18	OutServe-000030–000039			
PX081	OutServe Germany		OutServe-000045			
PX082	OutServe-SLDN Hawaii		OutServe-000046			
PX083	Richard Roe joining OutServe-SLDN email list	8/20/18	OutServe-000047–000054			
PX084	OutServe National Capital Region		OutServe-000055			
PX085	OutServe-SLDN Network		OutServe-000056			
PX086	Nicholas Harrison joining OutServe-SLDN email list	8/28/18	OutServe-000057–000064			
PX087	OutServe-SLDN, Inc. Bylaws		OutServe-000065–000069			
PX088	OutServe-SLDN, Inc. First Amended and Restated Bylaws	6/9/18	OutServe_RV-000249–000255			
PX089	OutServe-SLDN Military Advisory Council “Mission and Responsibilities”		OutServe_RV-000261–000267			
PX090	OutServe-SLDN Positive Forum list showing inclusion of plaintiffs and declarants as members		OutServe-000070–000076			
PX091	OutServe-UK		OutServe-000081			
PX092	OutServe-SLDN, Inc., <i>Freedom to Serve Guide</i> (2nd ed.)	00/00/18	OutServe_RV-000004–000070			
PX093	Nicholas Harrison Resume		NH-001506–001510			
PX094	Nicholas Harrison Resume (different form)		US00000949–00000950			
PX095	Nicholas Harrison letter to the Judge Advocate Recruiting Office	10/29/10	US00000838			

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PX096	Congratulations email informing Nicholas Harrison that he was pre-selected by the Judge Advocate General	1/27/11	NH-001931–001934			
PX097	Nicholas Harrison letter to the Judge Advocate Recruiting Office, renewing interest in commissioning	2/26/2011	US00000918			
PX098	Nicholas Harrison 2011 Army JAG Application	2/26/11	US00000880–00000917			
PX099	Certificate of Release or Discharge from Active Duty for Nicholas Harrison	3/27/12	NH-001552–001555			
PX100	NCO Evaluation Report for Nicholas Harrison	1/8/14	NH-001662–001678			
PX101	Letter from Dr. Czarnogorski certifying that Nicholas Harrison is healthy and fit for application for a JAG officer position	2/12/14	NH-001614			
PX102	Letter from Oklahoma Board of Bar Examiners informing the DC Bar that Nicholas Harrison had successfully passed the Oklahoma bar examination	3/28/14	NH-001960–001961			
PX103	HealthVet Personal Health Record for Nicholas Harrison as of 4/24/14	4/24/14	NH-001979–001994			
PX104	Memorandum for Record regarding Drug and Alcohol Testing for Sgt Harrison, Nicholas, showing no positive tests	8/20/14	NH-001550			
PX105	Army Physical Fitness Test Scorecard for Nicholas Harrison	12/6/14	US00000323			
PX106	Memorandum denying Nicholas Harrison's request for waiver, with application for waiver attached	12/30/14	US00003219–00003254			

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PX107	Letter of Admission to the DC Bar for Nicholas Harrison	1/9/15	NH-001551			
PX108	NCO Evaluation Report for Nicholas Harrison	1/10/15	NH-001539–1540			
PX109	HealthVet Personal Information Report as of 1/1/15	1/10/15	NH-001623–001638			
PX110	Medical Action Detail regarding Accession Waiver Commission for Sergeant (SGT) Nicholas Harrison, with notes page	1/15/15	US00003256–00003257			
PX111	Memorandum from Nicholas Harrison regarding a Request for an Exception to Policy (AR 600-110, DoDI 6485.01)	2/23/15	NH-000014–000016			
PX112	Letter from the Deputy Director Accessions Policy to Nicholas Harrison, in response to Nicholas Harrison's Letter to Under Secretary of Defense Jessica Wright, advising him that he needs to seek a waiver to commission as an officer	3/19/15	NH-001575			
PX113	Medical Record for Nicholas Harrison as of 3/27/15	3/27/15	NH-001639–001650			
PX114	Memorandum from Namataka Heru regarding Letter of Recommendation in support of Sgt Harrison, Nicholas A. for a Direct Commission as an Army JAG Officer	3/31/15	NH-001655–001656			
PX115	Enlisted Record Brief for Nicholas Harrison as of 4/10/15	4/10/15	NH-001538			

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PX116	Memorandum for the Directorate of Military Personnel Management: Request for a Medical Opinion, Sgt. Nicholas Harrison	4/30/15	US00001136			
PX117	Memorandum from Nicholas Harrison regarding his Request for Exception to Policy (AR 600-110, DoDI 6485.01)	7/17/15	NH-001484–001486			
PX118	Memorandum from Namataka Heru regarding Letter of Recommendation in support of Sgt Harrison, Nicholas A. for a Direct Commission as an Army JAG Officer	7/17/15	NH-001499–001500			
PX119	Preventive Medicine Counseling Record for Nicholas Harrison	9/1/15	NH-001501–001505			
PX120	Memorandum from Nicholas Harrison regarding his Request for Exception to Policy (AR 600-110, DoDI 6485.01), with denial	11/8/15	US00000026–00000029			
PX121	Memorandum for the Directorate of Military Personnel Management: Request for Medical Opinion, Sgt. Nicholas Harrison	1/12/16	US00001062			
PX122	Information Paper regarding Nicholas Harrison’s Request for Exemption to Policy for the purpose of providing updated information on Sgt. Harrison, Nicholas’s request for exemption	7/13/16	US00001111.0001–0002			

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PX123	Memorandum to Nicholas Harrison from the Acting Under Secretary of Defense for Personnel Readiness denying his 7/21/16 request for exception to 6485.01	7/26/16	NH-000691			
PX124	Application to the Board for Correction of Military Records regarding being denied a commission under 6485.01	8/1/16	US00000001–00000010			
PX125	Signature page to Application to the Board for Correction of Military Records regarding being denied a commission under 6485.01	8/1/16	US00000015			
PX126	Email confirming receipt of Nicholas Harrison's Application to the ABCMR	3/1/17	NH-000675–000676			
PX127	Memorandum from Nicholas Harrison regarding Reconsideration of a Request for Exception to Policy (DoDI 6485.01)	4/5/17	NH-001615–001618			
PX128	Memorandum from Nicholas Harrison regarding Reconsideration of a Request for Exception to Policy (DoDI 6485.01)	4/22/17	NH-001734–001738			
PX129	Memorandum for Land Component Commander, District of Columbia Army National Guard: Recommendation Regarding Exception to Policy from Sgt. Harrison, Nicholas, with request for Reconsideration of a Request for an Exception to Policy (DoDI 6485.01), dated 4/22/17	6/9/17	US00003143–00003150			
PX130	Nicholas Harrison U.S. Army Judge Advocate General's Corps Active Duty and Army Reserve Application	10/20/17	US00000931–00000943			



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PX131	Memorandum from ABCMR denying Nicholas Harrison's application	9/7/18	NH-000678-000687			
PX132	Nicholas Harrison HealthVet Account Summary as of 3/19/19	3/19/19	NH-000692-001482			
PX133	Exhibit for the FPEB, Awards and recognitions received by Richard Roe		US00030819-00030835			
PX134	Exhibit for the FPEB, Certificates of Promotion for Richard Roe		US00030837-00030839			
PX135	Exhibit for the FPEB, Certificates of Completion of training programs for Richard Roe		US00030841-00030852			
PX136	Formal Physical Evaluation Board Contention Slip		US00030786			
PX137	Richard Roe's Entrance Medical Exam	3/8/12	US00030958-00030982			
PX138	Exhibit for the FPEB, Notification of Air Force Member's Qualification Status as of 6/9/2016	6/9/16	US00030817			
PX139	Richard Roe's Chronological Record of Medical Care as of 11/6/17	11/6/17	US00030950-00030957			
PX140	Duty Limiting Condition Report for Richard Roe	11/28/17	US00030815			
PX141	DES Counseling Acknowledgement Sheet	11/29/17	US00030891			
PX142	Veterans Affairs Compensation and Pension Physical	11/29/17	US00030900-00030949			
PX143	Commander's Impact Statement for Medical Evaluation Board for Richard Roe	12/7/17	US00030880-00030881			

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PX144	Memorandum for the Medical Evaluation Board from Richard Roe providing narrative summary (NARSUM) of Richard Roe's medical condition	1/15/18	US00030893–00030899			
PX145	Medical Evaluation Board Report for Richard Roe	1/23/18	US00030878–00030979			
PX146	Impartial Review Election for Richard Roe	1/23/18	US00030882			
PX147	Letter of Exception submitted to Informal Physical Evaluation Board	1/22/18	ROE-000067–000069			
PX148	Exhibit for the PEB, Memorandum for the Honorable Members of the Board from D.H. regarding a Character Statement for [Richard Roe]	1/19/18	ROE-000072			
PX149	Exhibit for the PEB, Memorandum for the Honorable Members of the Board from K.K. regarding a Character Letter for [Richard Roe]	1/19/18	ROE-000074			
PX150	Exhibit for the PEB, Memorandum for All Reviewing Authorities from C.A. regarding a Character Statement for [Richard Roe]	1/22/18	ROE-000073			
PX151	Exhibit for the PEB, Memorandum for All Reviewing Authorities from S.K. regarding a Character Statement for [Richard Roe]	1/26/18	ROE-000070			
PX152	Exhibit for the PEB, Memorandum for All Reviewing Authorities from J.R. regarding a Character Statement for [Richard Roe]	1/26/18	ROE-000071			

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PX153	Personal Data of Richard Roe as of 1/31/18	1/31/18	US00030875–00030876			
PX154	Veterans Affairs Disability Evaluation System Proposed Rating and coding sheet	2/13/18	US00031002–0003006			
PX155	Findings and Recommended Disposition of the Informal Physical Evaluation Board regarding [Richard Roe]	2/22/18	US00031007–00031008			
PX156	Action on PEB findings by Richard Roe requesting Formal Physical Evaluation Board	3/1/18	US00030853			
PX157	Exhibit for FPEB, Air Force Fitness Management System II, Member Individual Fitness Report for Richard Roe	4/2/18	ROE-000089–000090			
PX158	Exhibit for the FPEB, Memorandum for President, U.S. Air Force Formal Physical Evaluation Board from D.M. regarding Letter of Reference – Fit for Duty, [Richard Roe]	4/2/18	ROE-000082–000083			
PX159	Exhibit for FPEB, Awards and Decorations Information for Richard Roe	4/2/18	US00030810			
PX160	Exhibit for the FPEB, Memorandum for President, U.S. Air Force Formal Physical Evaluation Board from S.M. regarding Letter of Reference – Fit for Duty, [Richard Roe]	4/3/18	ROE-000084–000085			
PX161	Letter from Dr. Jason F. Okulicz in support of the retention of Richard Roe, exhibit J for the FPEB	4/4/18	US00030767			

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PX162	Findings and Recommended Disposition of USAF Formal Physical Evaluation Board regarding [Richard Roe]	4/11/18	US00030991–00030992			
PX163	Memorandum for the SAFPC from Richard Roe regarding an Appeal of the Findings of the Formal Physical Evaluation Board	4/20/18	ROE-000012–000013			
PX164	Memorandum for the SAFPC, Appeal of the Formal Physical Evaluation Board Hearing, with Attachments	4/23/18	US00030762–00030764			
PX165	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from J.P. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	4/26/18	US00030771–00030772			
PX166	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from R.S. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	4/27/18	ROE-000075–000076			
PX167	Richard Roe’s Request for Retention for Medical Treatment or Evaluation	4/30/18	ROE-000093			
PX168	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from N.F. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	5/2/18	ROE-000077–000078			

<b>Exhibit No.</b>	<b>Description</b>	<b>Date</b>	<b>Bates Range/ Document Number</b>	<b>Authentic</b>	<b>Admissible</b>	<b>Admitted</b>
PX169	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from M.G. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	5/7/18	ROE-000079–000080			
PX170	Letter from Dr. Jason F. Okulicz in support of the retention of Richard Roe for the SAFPC	5/29/18	ROE-000081			
PX171	Memorandum from the SAFPC/AFPB informing Richard Roe that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 10% disability rating because he was unable to deploy because of his HIV	11/7/18	US00030985–00030987			
PX172	Request and Authorization for Separation of Richard Roe	1/4/19	US00031009–00031010			
PX173	Entrance Medical Examination for Victor Voe	6/29/11	US00030619–00030630			
PX174	Chronological Record of Medical Care for Victor Voe as of 4/3/17	4/3/17	US00030482–00030499			
PX175	DES Counseling Acknowledgement Sheet for Victor Voe	6/14/17	US00030476			
PX176	Department of Veterans Affairs Compensation and Pension Physical, Statement in Support of Claim	6/30/17	US00030500–0003030618			
PX177	Commander's Impact Statement for Medical Board Report	8/17/17	US00030473–00030474			
PX178	IRILO-MEB Narrative Summary of Victor Voe's medical condition	9/18/17	US00030479–00030481			

<b>Exhibit No.</b>	<b>Description</b>	<b>Date</b>	<b>Bates Range/ Document Number</b>	<b>Authentic</b>	<b>Admissible</b>	<b>Admitted</b>
PX179	Medical Evaluation Board Report for Victor Voe	9/19/17	US00030471– 00030472			
PX180	Duty Limiting Condition Report for Victor Voe	9/9/17	US00030478			
PX181	Impartial Review Election of MEB Findings by Victor Voe	10/2/17	US00030475			
PX182	Memorandum from Victor Voe to the AFPC regarding his Request for Retention Beyond his ETS (expiration of term of service)	10/2/17	US00030477			
PX183	Personal Data of Victor Voe as of 10/10/17	10/10/17	US00030468– 00030469			
PX184	Veterans Affairs Disability Evaluation System Proposed Rating and Coding Sheet	11/2/17	US00030453– 00030465			
PX185	Veterans Affairs Benefits Letter for Victor Voe	11/3/17	US00030446– 00030452			
PX186	Findings and Recommended Disposition of the USAF Informal Physical Evaluation Board regarding [Victor Voe]	11/7/17	US00030467			
PX187	Findings and Recommended Disposition of USAF Formal Physical Evaluation Board regarding [Victor Voe]	12/12/17	US00030435– 00030436			
PX188	Formal Physical Evaluation Board Contention Slip	12/12/17	US00030438			
PX189	Memorandum for the SAFPC/AFPBB from Victor Voe, regarding his Appeal of the Findings of the Formal Physical Evaluation Board (FPEB)	12/20/17	US00030431– 00030432			

Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX190	Victor Voe's Action on Physical Evaluation Board Findings and Recommended Disposition, requesting referral to the SAFPC for review and final decision	12/27/17	US00030433			
PX191	Memorandum for the SAF requesting review of the PEB proceedings, with PEB proceedings attached	12/28/17	US00030430			
PX192	Air Force Personnel Vote Sheet ("AFPB Vote Sheet") regarding Victor Voe, unanimously finding that he is fit, and should be returned to duty	5/4/18	Sealed Supplemental Administrative Record, <i>Roe</i> ECF No. 84			
PX193	Unsent Memorandum from the SAFPC/AFP B informing Victor Voe that his appeal of the recommended disposition of the PEB was granted, and that he would be returned to duty	6/12/18	US00031011–00031012			
PX194	Findings and Recommended Disposition of the SAFPC	6/12/18	US00031035			
PX195	AFPB Vote Sheet regarding Victor Voe, unanimously finding him unfit, and discharging him with 10% severance pay	10/18/18	Sealed Supplemental Administrative Record, <i>Roe</i> ECF No. 84			
PX196	Memorandum from the SAFPC/AFP B informing Victor Voe that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 10% disability rating because he was unable to deploy because of his HIV	11/7/18	US00030631–00030633			

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PX197	Request and Authorization for Separation for Victor Voe	12/21/18	US00030634– 00030635			
PX198	Findings and Recommended Disposition of USAF SAFPC Physical Evaluation Board regarding Master Sgt. [name redacted]	6/2/16	US00032583– 00032584			
PX199	Memorandum from the SAF regarding the Physical Evaluation – Master Sergeant [name redacted] directing that he be returned to duty even though he is living with HIV	6/2/16	US00032579– 00032580			
PX200	Memorandum from the SAF regarding Physical Evaluation – Airman First Class [name redacted] directing that he be returned to duty even though he is living with HIV; Findings and Recommended Disposition of the USAFC SAFPC; Findings and Recommended Disposition of the Formal Physical Evaluation Board regarding Airman First Class [name redacted]; Findings and Recommended Disposition of the Informal Physical Evaluation Board regarding Airman First Class [name redacted]	1/22/18	US00034235– 00034244			
PX201	Memorandum from the SAFPC/AFPB informing D.N. that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 10% disability rating because he was unable to deploy because of his HIV	12/5/18	Ex. C3 to Plaintiffs’ Motion for Preliminary Injunction, ECF No. 40			



Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX202	Memorandum from the SAFPC/AFPB informing K.R. that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 10% disability rating because he was unable to deploy because of his HIV	11/7/18	Ex. C1 to Plaintiffs' Motion for Preliminary Injunction, ECF No. 40			
PX203	Memorandum from the SAFPC/AFPB informing S.H. that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 0% disability rating because he was unable to deploy because of his HIV	12/4/18	Ex. C2 to Plaintiffs' Motion for Preliminary Injunction, ECF No. 40			
PX204	Declaration of Kevin Cron in Support of Defendants' Opposition to Plaintiffs' Motion to Preliminary Injunction in <i>Roe</i>	1/25/19	Appendix (A423–427) to Defendants Opposition to Plaintiffs' Motion for Preliminary Injunction, ECF No. 47			
PX205	Email chain between Marguerite Lawrence, Stephen Thomas, and others regarding Nicholas Harrison's request for exception to policy	1/5/16	US00002428–00002433			
PX206	Email chain from James Becker to Lisa Lute regarding a request for an update on the current deployment policy for HIV+ personnel	5/23/16	US00002498–00002500			
PX207	Email chain from Dr. Jason Blaylock to Lisa Lute regarding the DoD Retention Policy for Non-Deployable Service Members	6/2/17	US00025570–00025575			

<b>Exhibit No.</b>	<b>Description</b>	<b>Date</b>	<b>Bates Range/ Document Number</b>	<b>Authentic</b>	<b>Admissible</b>	<b>Admitted</b>
PX208	Email from Stephanie Scoville to Lisa Lute regarding the AR 600-110 update	3/1/18	US00025924–00025925			
PX209	Email chain between Shane T Prater and Bradley Achayatay asking him to hold already signed and dated memorandum directing that Victor Voe be returned to duty because “there is still ongoing discussion of what the AF policy is”	7/13/18	US00031796–00031797			
PX210	Email chain from Craig Greene (staff member of the House Armed Service committee) to David Knuckles and Charles Toth regarding two discharges being contrary to what Congress was told during the Brief	11/20/18	US00031117_0001–0004			
PX211	Email chain from Craig Greene (staff member of the House Armed Service committee) to David Knuckles and Charles Toth regarding two discharges being contrary to what Congress was told during the Brief	11/20/18	US00031235_0001-0009			
PX212	Email chain between David Knuckles, John Vallario, Shane T. Prater, and others regarding follow up questions from Craig Greene following Air Force’s response to 11/20 email chain, noting that the discharges of Roe and Voe “will be difficult to explain away	11/30/18	US00031217_0001-0002			

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PX213	Email chain between Craig Greene, John Fedrigo, David Knuckles, and others regarding the Air Force's response to the 11/20 email chain from Craig Greene, and Craig Greene's follow up questions	12/18/18	US00031250_0001–0004			
PX214	Email from John Vallario to the Board regarding new guidance from MR about how the board should process and adjudicate appeals from individuals with asymptomatic HIV who were found unfit by the IPEB and FPEB	10/15/18	US00031216_0001–0002			
PX215	Email chain between John Fedrigo, Shane T. Prater, and John Vallario regarding planned evaluations of 9 HIV cases	9/28/18	US00031294_0001–0002			
PX216	Email from John Vallario to Guy Palumbo and Tammy Hern regarding the outcome of the adjudication of 10 pending HIV cases	11/8/18	US00031536–00031537			
PX217	Email chain between Patrick Danaher to William Fischer, Jason Okulicz, Martha Soper, and others indicating that the Air Force had stopped adhering to the guidance provided to Congress in 2014 on the retention of Service members living with HIV in about 2015, and discussing the possible ways forward	1/2/18	US00040166–00040172			

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PX218	Email chain between Patrick Danaher to William Fischer, Jason Okulicz, Martha Soper, and others indicating that the Air Force had stopped adhering to the guidance provided to Congress in 2014 on the retention of Service members living with HIV in about 2015, and discussing the possible ways forward	1/2/18	US00040173–00040179			
PX219	Aggleton & Parker, <i>Moving Beyond Biomedicalization in the HIV Response: Implications for Community Involvement and Community Leadership Among Men Who Have Sex with Men and Transgender People</i>	08/00/15	Harrison&Roe 000491–000497			
PX220	American Academy of HIV Med., <i>Fundamentals of HIV Medicine</i> , (W. David Hardy ed., CME 2017) – Chapter 3: Mechanisms of HIV Transmission		Harrison&Roe 000387–414			
PX221	American Academy of HIV Med., <i>Fundamentals of HIV Medicine</i> , (W. David Hardy ed., CME 2017) – Chapter 17: HIV Virology		Harrison&Roe 000387–410, 415–425			
PX222	American Academy of HIV Med., <i>Fundamentals of HIV</i> , (W. David Hardy ed., CME 2017) – Chapter 21: HIV-1 Resistance to Antiretroviral Drugs		Harrison&Roe 000387–410, 426–438			
PX223	Antinori, et al. <i>Updated research nosology for HIV-associated neurocognitive disorders, Nuerology</i>	10/20/07	US00003666–00003686			

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PX224	Antiretroviral Therapy Cohort Collaboration, <i>Survival of HIV-positive patients starting antiretroviral therapy between 1996 and 2013: a collaborative analysis of cohort studies</i>	8/00/17	Harison&Roe 002255–002262			
PX225	Asha De, et al., <i>Physical Fitness Characteristics of Active Duty Air Force Members with HIV Infection</i>	00/00/16	OutServe_RV- 000219–000226			
PX226	Baggaley, et al., <i>Risk of HIV transmission for parenteral exposure and blood transfusion: a systematic review and meta-analysis</i>	00/00/06	Harison&Roe 002289–002296			
PX227	Ballard, et al., <i>Transfusion-transmissible infections among U.S. military recipients of emergently transfused blood products, June 2006-December 2012</i>	11/00/14	NH-000553–000558			
PX228	Bavington, et al., <i>Viral Suppression and HIV Transmission in Serodiscordant Male Couples: and International, Prospective, Observational, Cohort Study</i>	7/16/18	Harrison&Roe 002304–002313			
PX229	Blaylock, <i>HIV Preexposure Prophylaxis in the U.S. Military Services – 2014-2016</i>	5/5/18	US00003289– 00003312			
PX230	Bobashev and Zule, <i>Modeling the effect of high dead-space syringes on the human immunodeficiency virus (HIV) epidemic among injecting drug users</i>	2/5/10	Harrison&Roe 002346–002354			

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PX231	Boender, et al., <i>Long Term Virological Outcomes of First Line Antiretroviral Therapy for HIV-1 in Low- and Middle-Income Countries: A Systematic Review and Meta-analysis</i>	7/8/15	Harrison&Roe 002355–002363			
PX232	Brundage, et al., <i>Durations of military service after diagnosis of HIV-1 infections among active component members of the U.S. Armed Forces, 1990-2013</i>	8/00/15	NH-000333–000336			
PX233	Buclin, et al., <i>Development and Validation of Decision Rules to Guide Frequency of Monitoring CD4 Cell Count in HIV-1 Infection before Starting Antiretroviral Therapy</i>	4/8/11	Harrison&Roe 002366–002374			
PX234	Castilla, et al., <i>Effectiveness of highly active antiretroviral therapy in reducing heterosexual transmission of HIV</i>	9/1/05	Harrison&Roe 002450–002455			
PX235	Cohen, et al., <i>Prevention of HIV-1 Infection with Early Antiretroviral Therapy</i>	8/11/11	Harrison&Roe 000043–000055			
PX236	Colasanti, et al., <i>Implementation of a Rapid Entry Program Decreases Time to Viral Suppression Among Vulnerable Persons Living with HIV in the Southern United States</i>	00/00/18	Harrison&Roe 002487–002492			
PX237	Consensus Statement: <i>Risk of Sexual Transmission of HIV from a Person Living with HIV who had an Undetectable Viral Load</i>	7/21/16	US00004410– 00004417			

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PX238	Correll, <i>“You Know about Needle Boy, Right?”: Variation in Rumors and Legends about Attacks with HIV-Infected Needles</i>	00/00/08	Harrison&Roe 000529–000570			
PX239	Cosma, et al., <i>Evaluation of modified vaccinia virus Ankara as an alternative vaccine against smallpox in chronically HIV type 1-infected individuals undergoing HAART</i>	00/00/07	Harrison&Roe 002495–002506			
PX240	Cox, <i>Turning the Tide: The Future of HIV Criminalization after Rhoades v. State and Legislative Reform in Iowa</i>	00/00/16	Harrison&Roe 000571–000597			
PX241	Crum-Cianflone, et al., <i>Low Prevalence of neurocognitive impairment in early diagnosed and managed HIV-infected persons</i>	1/22/13	US00004446– 00004454			
PX242	Curran, <i>Epidemiology of HIV infection and AIDS in the United States</i>		Harrison&Roe 000598–000604			
PX243	De Souza, et al., <i>Risk Factors for neurocognitive impairment in HIV-infected patients and comparison of different screening tools</i>	3/00/16	US00004960– 00004964			
PX244	Di Biagio, et al., <i>Discontinuation of Initial Antiretroviral Therapy in Clinical Practice: Moving Toward Individualized Therapy</i>	3/1/16	Harrison&Roe 0002544–0002552			
PX245	Dorward, et al., <i>Point-of-care viral load testing and differentiated HIV care</i>	1/5/18				
PX246	Emergency War Surgery, 4th ed. (2014), Chapter 33, <i>Battlefield Transfusions</i>		NH-000653–000674			

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PX247	Epstein, <i>Impure Science: AIDS, Activism, and the Politics of Knowledge</i>	00/00/96	Harrison&Roe 000612–000650			
PX248	Folaron, et al., <i>Effect of Military Deployment on Diabetes Mellitus in Air Force Personnel</i>	4/00/18	Harrison&Roe 002563–002570			
PX249	Freiberg, et al., <i>HIV infection and the risk of acute myocardial infarction</i>	3/4/13	Harrison&Roe 002571–002579			
PX250	Frost, et al., <i>Viral dynamics during structured treatment interruptions of chronic interruptions of human immunodeficiency virus type 1 infection</i>	00/00/02	Harrison&Roe 002583–002594			
PX251	Garlin, et al., <i>Retroviral Rebound Syndrome with Fatal Outcome after Discontinuation of Antiretroviral Therapy</i>	9/29/05	Harrison&Roe 002619–002621			
PX252	Gonzalez-Serna, et al., <i>Temporal trends in the discontinuation of first line antiretroviral therapy</i>	4/15/14	Harrison&Roe 002630–002637			
PX253	Grant, et al., <i>Asymptomatic HIV-associated neurocognitive impairment increases risk for symptomatic decline</i>	6/10/14	US00004418– 00004425			
PX254	Grulich, et al., <i>HIV Transmission in Male Serodiscordant Couples in Australia, Thailand and Brazil</i>	2/26/15	Harrison&Roe 000439			
PX255	Gulick, <i>Structured treatment interruption in patients infected with HIV: a new approach to therapy</i>	00/00/02	Harrison&Roe 002650–002658			



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PX256	Gussis, <i>The Constitution, the White House, and the Military HIV Ban: A New Threshold for Presidential Non-Defense of statutes</i>	00/00/97	Harrison&Roe 000655–000703			
PX257	Hakre, et al., <i>Transfusion-transmissible viral infections among US military recipients of whole blood and platelets during Operation Enduring Freedom and Operation Iraqi Freedom</i>	3/00/11	US00003265– 00003277			
PX258	Hall, et al., <i>Tenofovir-associated kidney toxicity in HIV-infected patients: a review of the evidence</i>	1/22/11	Harrison&Roe 002676–002683			
PX259	Harsono, et al., <i>Criminalization of HIV Exposure: A Review of Empirical Studies in the United States</i>	1/1/18	Harrison&Roe 000704–000739			
PX260	Hasenbush, et al., <i>HIV Criminalization in Georgia: Penal Implications for People Living with HIV</i>	1/00/18	Harrison&Roe 000764–000789			
PX261	Hasenbush, et al., <i>HIV Criminalization in California: Penal Implications for People Living with HIV</i>	12/00/15	Harrison&Roe 000740–000763			
PX262	Herbeck, et al., <i>Is the virulence of HIV changing? A meta-analysis of trends in prognostic markers of HIV disease progression and transmission</i>	00/00/12	Harrison&Roe 002747–002759			
PX263	Herek & Glunt, <i>An Epidemic of Stigma: Public Reactions to AIDS</i>	11/00/88	Harrison&Roe 000797–000802			
PX264	Herek, et al., <i>HIV-Related Stigma and Knowledge in the United States: Prevalence and Trends</i>	3/00/02	Harrison&Roe 000790–000796			

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PX265	Hoppe, <i>Punishing Disease: HIV and the Criminalization of Sickness</i>	7/9/17	Harrison&Roe 00803–001090			
PX266	Jafari, et al., <i>Tenofovir-induced nephrotoxicity: incidence, mechanism, risk factors, prognosis, and proposed agents for prevention</i>	6/25/14	Harrison&Roe 002779–02790			
PX267	Lehman, et al., <i>Prevalence and Public Health Implications of State Laws That Criminalize Potential HIV Exposure in the United States</i>	4/15/14	Harrison&Roe 001266–001275			
PX268	Li, et al., <i>The Size of the Expressed HIV Reservoir Predicts Timing of Viral Rebound After Treatment Interruption</i>	00/00/16	Harrison&Roe 000440–000450			
PX269	Okulicz and Murray, <i>Evaluation of HIV Postexposure Prophylaxis for Occupational and Nonoccupational Exposures at a Deployed U.S. Military Trauma Hospital</i>	12/00/12	Harrison&Roe 002942–002950			
PX270	Margolick, et al., <i>Changes in T-lymphocyte subsets in intravenous drug users with HIV-1 infection</i>	3/25/92	Harrison&Roe 002832–002837			
PX271	Mariano D, et al., <i>Safe Travel Preparation for HIV-Infected Patients</i>	3/20/19	Harrison&Roe 002838–002843			
PX272	Menegay, et al., <i>Live versus attenuated influenza vaccine uptake and postvaccination influenza-like illness outcomes in HIV-infected US Air Force members</i>	00/00/17	Harrison&Roe 002938–002941			

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PX273	Moyo, et al., <i>Point-of-Care Cepheid Xpert HIV-1 Viral Load Test in Rural African Communities is Feasible and Reliable</i>	11/23/16				
PX274	MSMR, <i>Update: Routine screening for antibodies to human immunodeficiency virus, civilian applicants for U.S. military service and U.S. Armed Forces, active and reserve components, January 2010-June 2015</i>	8/00/15	NH-000325–000332			
PX275	MSMR, <i>Update: Routine screening for antibodies to human immunodeficiency virus, civilian applicants for U.S. military service and U.S. Armed Forces, active and reserve components, January 2012-June 2017</i>	9/00/17	NH-000507–000513			
PX276	MSMR, <i>Update: Routine screening for antibodies to human immunodeficiency virus, civilian applicants for U.S. military service and U.S. Armed Forces, active and reserve components, January 2013-June 2018</i>	9/00/18	NH-000576–000583			
PX277	Murphy, et al., <i>Mortality in the United States, 2017, National Center for Health Statistics (NCHS) Data Brief</i>	11/00/18	Harrison&Roe 002904–002911			
PX278	Nash, et al., <i>Performance of Xpert HIV-1 Viral Load Assay: a Systematic Review and Meta-analysis</i>	1/31/18				

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PX279	O'Connor, et al., <i>Durability of viral suppression with first-line antiretroviral therapy in patients with HIV in the UK: an observational cohort study</i>	5/4/17	Harrison&Roe 002923–002930			
PX280	Obermeyer, et al., <i>Facilitating HIV Disclosures Across Diverse Settings: A Review</i>	0/0/11	Harrison&Roe 001291–1303			
PX281	Okulicz, et al., <i>Occupational Exposures and Prevalence of Bloodborne Pathogens in a Deployed Setting: Data from a U.S. Military Trauma Center in Afghanistan</i>	1/00/13	Harrison&Roe 002931–2937			
PX282	Okulicz, et al., <i>Review of the U.S. military's human immunodeficiency virus program: a legacy of progress and a future of promise</i>	9/00/17	NH-000500–000506			
PX283	Onaiwu, et al., <i>When Ignorance Kills, Nobody Wins: Advocates Reflect on an HIV-Related Murder Case</i>	1/20/15	Harrison&Roe 000651–000652			
PX284	Pacha, et al., <i>Centralized HIV Program Oversight: An Investigation of a Case Series of New HIV Infections among US Army Soldiers, 2012 to 2013</i>	11/00/15	Harrison&Roe 002951–002956			
PX285	Patel, et al., <i>Estimating per-act HIV transmission risk: a systematic review</i>	6/19/14	US00004565– 00004582			
PX286	Penafiel, et al., <i>Tolerability of integrase inhibitors in a real-life setting</i>	2/28/17	Harrison&Roe 002981–002988			
PX287	Pilcher, et al., <i>Amplified transmission of HIV-1: comparison of HIV-1 concentrations in semen and blood during acute and chronic infection</i>	00/00/07	Harrison&Roe 002989–002996			

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PX288	Pozniak, et al., <i>Switching to Tenofovir Alafenamide, Coformulated with Elvitegravir, Cobicistat, and Emtricitabine, in HIV-I Infected Patients with Renal Impairment, 48-Week Results From a Single-Arm Multicenter, Open-Label Phase</i>	4/15/16	Harrison&Roe 002997–003004			
PX289	Price, <i>HIV-associated neurocognitive disorders: Epidemiology, clinical manifestations, and diagnosis</i>	2/14/17	US00005269– 00005291			
PX290	Quinn, et al., <i>Viral Load and Heterosexual Transmission of Human Immunodeficiency Virus Type I</i>	00/00/00	Harrison&Roe 003015–003023			
PX291	Rodger, et al., <i>Risk of HIV Transmission through Condomless Sex in Serodifferent Gay Couples with the HIV-Positive Partner Taking Suppressive Antiretroviral Therapy: Final Results of a Multicentre, Prospective Observational Study</i>	5/2/19	Harrison&Roe 003067–003077			
PX292	Rodger, et al., <i>Sexual Activity Without Condoms and Risk of HIV Transmission in Serodifferent Couples When the HIV-Positive Partner is Using Suppressive Antiretroviral Therapy</i>	11/13/16	Harrison&Roe 000451–000461			
PX293	Ronco, et al., <i>Efficacy of HPV-Based Screening for Prevention of Invasive Cervical Cancer: Follow-up of Four European Randomized Controlled Trials</i>	2/8/14	Harrison&Roe 001313–001321			

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PX294	Roy, <i>Community-Based AIDS Services: Formalization and Depoliticization</i>	00/00/93	Harrison&Roe 000505–000524			
PX295	Rutherford, et al., <i>Dolutegravir Plus Two Nucleoside Reverse Transcriptase Inhibitors versus Efavirenz Plus Two Nucleoside Reverse Transcriptase Inhibitors as Initial Antiretroviral Therapy for People with HIV: A Systematic Review</i>	10/13/16	Harrison&Roe 003087–003099			
PX296	Saag, et al., <i>Antiretroviral Drugs for Treatment and Prevention of HIV Infection in Adults 2018 Recommendations of the International Antiviral Society-USA Panel</i>	00/00/18	US00005494– 00005511			
PX297	Sacktor, <i>Changing clinical phenotypes of HIV-associated neurocognitive disorders</i>	7/27/17	Harrison&Roe 000476–000480			
PX298	Samji, et al., <i>Closing the Gap: Increases in Life Expectancy among Treated HIV-Positive Individuals in the United States and Canada</i>	12/18/13	Harrison&Roe 001322–001329			
PX299	Satterwhite, et al., <i>Sexually transmitted infections among US women and men: Prevalence and incidence estimates, 2008</i>	0/0/13	Harrison&Roe 001330–001336			
PX300	Scott, et al., <i>Short Communication: Investigation of Incident HIV Infections Among U.S. Army Soldiers Deployed to Afghanistan and Iraq, 2001-2007</i>	00/00/12	NH-000541–000545			

Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX301	Silva, et al., <i>Adverse effects of chronic treatment with the main subclasses of highly active antiretroviral therapy, a systematic review</i>	00/00/19	Harrison&Roe 003119–003128			
PX302	Sturmer, et al., <i>Is transmission of HIV-1 in non-viraemic serodiscordant couples possible?</i>	00/00/08	Harrison&Roe 000462–000465			
PX303	Supervie, et al., <i>Per Sex-Act Risk of HIV Transmission Under Antiretroviral Treatment: A Data Driven Approach</i>	12/1/8	Harrison&Roe 003129–003133			
PX304	Tanner, et al., <i>Predictors of viral suppression and rebound among HIV-positive men who have sex with men in a large multi-site Canadian cohort</i>	00/00/16	Harrison&Roe 003135–003145			
PX305	Kuhar, et al., <i>US Public Health Service Guideline: Updated US Public Health Service Guidelines for the Management of Occupational Exposures to Human Immunodeficiency Virus and Recommendations for Postexposure Prophylaxis</i>	9/00/13	US00004426– 00004445			
PX306	Vernazza, et al., <i>HIV-Positive Individuals Without Additionally Sexually Transmitted Diseases And On Effective Anti-Retroviral Therapy Are Sexually Non-Infectious</i>	1/00/08	Harrison&Roe 003203–003210			
PX307	Abadsidis, <i>Trump Fires HIV-Positive Airmen Right Before Christmas</i>	12/19/18	Harrison&Roe 000488–0490			
PX308	<i>AIDS Map, CD4, viral load, and other tests</i>	2/00/17				

Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX309	Amplicor HIV-1 Monitor™ Test Product Information					
PX310	Associated Press, <i>Judge halts Air Force's efforts to discharge airmen with HIV</i>	2/15/19	Harrison&Roe 000498–0499			
PX311	Avert, <i>Origin of HIV &amp; AIDS</i>	3/22/19	Harrison&Roe 000500–000504			
PX312	CDC, <i>2015 Sexually Transmitted Diseases Treatment Guidelines</i>					
PX313	CDC, <i>About HIV/AIDS</i>	3/9/19	Harrison&Roe 00004–000007			
PX314	CDC, <i>Act Against AIDS, Facts About HIV Stigma</i>	7/31/18	OutServe_RV- 000130–000133			
PX315	CDC, <i>Current Trends, Prevention of Acquired Immune Deficiency Syndrome (AIDS): Report of Inter-Agency Recommendations</i>	3/4/83	Harrison&Roe 000525–000527			
PX316	CDC, <i>Dear Colleague: Information from CDC's Division of HIV/AIDS Prevention</i>	9/27/17	Harrison&Roe 001286			
PX317	CDC, <i>Effectiveness of Prevention Strategies to Reduce the Risk of Acquiring or Transmitting HIV</i>	12/00/15	OutServe_RV- 000123–000129			
PX318	CDC, <i>Evidence of HIV Treatment and Viral Suppression in Preventing the Sexual Transmission of HIV</i>	12/00/18	Harrison&Roe 000012–000016			
PX319	CDC, <i>Exposure to Blood, What Healthcare Professionals Need to Know</i>		Harrison&Roe 000017–0026			
PX320	CDC, <i>HIV and AIDS – United States 1981-2000</i>	6/1/01				
PX321	CDC, <i>HIV in the United States: At a Glance</i>	6/26/18				



Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX322	CDC, <i>HIV Prevention</i>	10/31/18				
PX323	CDC, <i>HIV Risk Behaviors, Estimated Per-Act Probability of Acquiring HIV from an Infected Source, by Exposure Act</i>	12/00/15	OutServe_RV-000138			
PX324	CDC, <i>HIV Treatment as Prevention</i>	12/18/18	Harrison&Roe 000040–000016			
PX325	CDC, <i>HIV Transmission</i>	10/31/18	Harrison&Roe 000028–000039			
PX326	CDC, <i>Pregnant Women, Infants, and Children</i>	8/28/17				
PX327	CDC, <i>Understanding the HIV Care Continuum</i>	12/00/14				
PX328	DHHS Panel on Antiretroviral Guidelines for Adults and Adolescents, <i>Guidelines for the Use of Antiretroviral Agents in Adults and Adolescents with HIV</i>	10/25/18	Harrison&Roe 000056–000386			
PX329	Eckholm, <i>Poll Finds Many AIDS Fears That the Experts Say Are Groundless</i>	9/12/85	Harrison&Roe 000605–000608			
PX330	Emily, <i>Man who Admitted Killing HIV-Positive Girlfriend: “I Wanted to Make Her Pay”</i>	10/29/13	Harrison&Roe 000609–000611			
PX331	Gstalter, <i>Federal Judge Temporarily Blocks Military from Discharging HIV-Positive Airmen</i>	2/16/19	Harrison&Roe 000653–000654			
PX332	Kaiser Family Foundation, <i>2012 Survey of Americans on HIV/AIDS</i>	7/00/12	Harrison&Roe 001091–001155			
PX333	Kaiser Family Foundation, <i>HIV/AIDS at 30: A Public Opinion Perspective</i>	6/1/11	Harrison&Roe 001156–001190			
PX334	Kaiser Family Foundation, <i>National Survey of Young Adults on HIV/AIDS</i>	00/00/17	Harrison&Roe 001191–001201			

Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX335	Kaiser Family Foundation, <i>The AIDS Epidemic at 20 Years: The View From America</i>	00/00/01	Harrison&Roe 001202–001262			
PX336	Landay, <i>Congress Jumps into Military Special Fray Debate This Week to Focus on Gay Rights, Abortion More than Pentagon Spending</i>	7/18/96	Harrison&Roe 001263–1265			
PX337	Leoni, <i>The Pentagon is being sued for allegedly discriminating against people living with HIV</i>	5/30/18	Harrison&Roe 001276–001279			
PX338	POZ, <i>Living with HIV: Disclosure</i>		Harrison&Roe 001280–1285			
PX339	Mayo Clinic, <i>Asthma: symptoms and causes</i>	9/13/18				
PX340	Mayo Clinic, <i>Diabetes: diagnosis and treatment</i>	8/8/18				
PX341	Mayo Clinic, <i>Hypothyroidism (underactive thyroid): symptoms and causes</i>	12/4/18				
PX342	Mayo Clinic, <i>Menstrual Cramps: diagnosis and treatment</i>	4/14/18				
PX343	Military Infectious Disease Research Program	3/22/10	US00005292– 00005295			
PX344	Mitchell, <i>Airmen Sue Pentagon Over Discharge After Testing Positive for HIV</i>	12/19/18	Harrison&Roe 001289–001290			
PX345	National Heart, Lung, and Blood Institute, <i>Blood Transfusion</i>	6/29/18	NH-000546–000552			

Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX346	AIDSinfo, <i>Guidelines for the Use of Antiretroviral Agents in Adults and Adolescents Living with HIV, Laboratory Testing, Plasma HIV-1 RNA (Viral Load) and CD4 Count Monitoring</i>	5/1/14	NH-000255–000262			
PX347	AIDSinfo, <i>Guidelines for the Use of Antiretroviral Agents in Adults and Adolescents Living with HIV, Limitations to Treatment Safety and Efficacy, Cost Considerations and Antiretroviral Therapy</i>	10/25/18	NH-000300–000308			
PX348	National Institute of Health, AIDSinfo, <i>Side Effects of HIV Medicines</i>	8/29/18	OutServe_RV-000227–000229			
PX349	Page, <i>The Rise and Fall of Jerry Falwell</i>	5/20/07	Harrison&Roe 001304–001306			
PX350	Pawlyk, <i>Airmen Sue Defense Department over Discharges for HIV Status</i>	12/20/18	Harrison&Roe 001307–001310			
PX351	Reuters, <i>Theft of AIDS Database Prompts New Effort to Guard Information</i>	10/14/96	Harrison&Roe 001311–001312			
PX352	Pebody, AIDS Map, <i>Factsheet: Life Expectancy for people living with HIV</i>	5/00/18				
PX353	Ryan White HIV/AIDS Program, <i>Annual Client-Level Data Report, Ryan White HIV/AIDS Program Services Report</i>					
PX354	Shrager, <i>Only one in five people take up this incredibly generous pension to retire at 40</i>	3/14/17	Harrison&Roe 003111–003118			
PX355	Sonne, <i>They Tested Positive for HIV, Then, the Military Kicked Them Out</i>	12/19/18	Harrison&Roe 001337–001339			

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PX356	Staley, <i>In Memory of Jesse Helms, and the Condom on His House</i>	7/8/08				
PX357	Straube, <i>Military Starts Discharging Service Members Living with HIV</i>	12/20/18	Harrison&Roe 001340–001341			
PX358	Thomas, <i>Arson Cause of Fire at Rays – Boys Start School Today</i>	9/23/87	Harrison&Roe 00001342–001345			
PX359	U.S. Census Bureau, <i>Monthly Population Estimates for the United States: April 1, 2010 to December 1, 2018</i>	None	NH-000573–000575			
PX360	Warikoo, <i>Detroit Woman with HIV Gets \$40K Settlement from Dearborn</i>	9/15/15	Harrison&Roe 001346–1347			
PX361	World Health Organization, <i>Consolidated Guidelines on the use of antiretroviral drugs for treating and preventing HIV infection</i>	6/00/16				
PX362	Harrison Plaintiffs' Notice of Deposition of Defendants Pursuant to Fed. R. Civ. P. 30(b)(6)	12/5/18				
PX363	Roe Plaintiffs' Notice of Deposition of Defendants Pursuant to Fed. R. Civ. P. 30(b)(6)	2/13/19				
PX364	Harrison Defendants' Objections and Responses to Plaintiffs First Set of Interrogatories to Defendants (Nos. 1-23)	12/17/18				
PX365	Harrison Defendants' Objections and Responses to Plaintiffs First Set of Requests for Admission to Defendants	1/4/19				

<b>Exhibit No.</b>	<b>Description</b>	<b>Date</b>	<b>Bates Range/ Document Number</b>	<b>Authentic</b>	<b>Admissible</b>	<b>Admitted</b>
PX366	<i>Roe</i> Defendants' Objections and Responses to Plaintiffs First Set of Requests for Admission to Defendants (Nos. 1-73)	3/1/19				
PX367	<i>Roe</i> Defendants' Objections and Responses to Plaintiffs First Set of Interrogatories to Defendants (Nos. 1-13)	3/1/19				
PX368	<i>Roe</i> Defendants' Objections and Responses to Plaintiffs Second Set of Requests for Admission to Defendants (Nos. 74-79)	3/15/19				
PX369	<i>Roe</i> Defendants' Objections and Responses to Plaintiffs Second Set of Requests for Interrogatories to Defendants (Nos. 14-20)	3/15/19				

Plaintiffs reserve the right to use demonstratives at trial. Plaintiffs also reserve the right to supplement this list with documents newly produced, or newly produced in unredacted form, to Plaintiffs on or after June 3, 2019.

Dated: June 5, 2019

/s/ Scott Schoettes

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## **CERTIFICATE OF SERVICE**

I certify that, on the 5 day of June, 2019, I caused this document to be filed electronically through the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: June 5, 2019

Respectfully submitted,

/s/ John H. Harding  
John W.H. Harding